



## **STOCKTON PORT DISTRICT**

Board of Port Commissioners

August 19, 2019

Pursuant to notice duly given, the regular meeting of the Board of Commissioners of the Stockton Port District was held on August 19, 2019, in Room 18 of the Port of Stockton Administration Building located at 2201 West Washington Street in Stockton, California.

COMMISSIONERS PRESENT: R. Jay Allen  
Anthony M. Barkett  
Elizabeth (Liz) Blanchard  
Michael Patrick Duffy, Vice Chairman  
Stephen Griffen, Chairman  
Victor Mow

COMMISSIONERS ABSENT: None

COMMISSIONERS EXCUSED: Gary Christopherson

OTHERS PRESENT: Richard Aschieris, Port Director  
Michelle Bowling, Interim Director of Finance  
Katie Miller, Director of Human Resources and  
Administrative Services  
Juan Villanueva, Director of Development and  
Planning  
Rick Salsedo, Chief of Police  
Steven A. Herum, Port Counsel  
Melanie Rodriguez, Secretary to the Board

A quorum being present, the meeting was called to order by Chairman Stephen Griffen at 3:28 p.m. Chairman Stephen Griffen presided and Melanie Rodriguez, Secretary to the Board, acted as Secretary for the meeting.

### **PRESENTATION OF PORT EMPLOYEE SERVICE AWARDS**

The Port's Service Recognition Program honors Port employees for their commitment and dedicated service to the Port of Stockton. The Commissioners were pleased to recognize the following Port employees who recently observed milestone service anniversaries:

Tim Deerinck, Systems Engineer  
Alfredo Maya, Shipping and Receiving Clerk

5 Years  
15 Years

### CONSENT CALENDAR

In compliance with Port Policy Statement #003, the Consent Calendar items of business, having been provided to each member of the Board prior to this meeting, the Commissioners present acted upon all Consent Calendar items of business under one vote.

Commissioner Allen moved to adopt the following resolutions:

### MINUTES OF JULY 15, 2019 MEETING

Resolution #8136: RESOLVED, that the minutes of the regular meeting of the Board of Commissioners of the Stockton Port District held on the 15th day of July 2019, as the same are endorsed on Page No. 068 to Page No. 072, inclusive, of Minutes Book No. 61, be and they are hereby approved.

### AUTHORIZATION TO TRAVEL

Resolution #8137: RESOLVED, that the Board of Commissioners of the Stockton Port District hereby authorizes one or more Commissioners to travel to Phoenix, Arizona for the Western Plant Health Association (WPHA), Annual Meeting October 6 – 8, 2019; and

RESOLVED FURTHER, that the travel expenses incurred by Commission delegates who participate in the WPHA Annual Meeting shall be paid by the Stockton Port District.

### CONSIDERATION AND APPROVAL OF THE PORT OF STOCKTON RECORDS AND INFORMATION MANAGEMENT PROGRAM POLICY AND RECORDS RETENTION SCHEDULE

Resolution # 8138: RESOLVED, by the Board of Commissioner of the Stockton Port District that the Port's Records and Information Management Program Policy and Records Retention Schedule is hereby approved, as presented; and

RESOLVED FURTHER, that the Port Director is hereby authorized, empowered and directed to ensure the provisions of this resolution are appropriately effected.

### CONSIDERATION AND APPROVAL OF THE 2018 PORT OF STOCKTON POWER CONTENT LABEL (PCL) AND PCL CUSTOMER LETTER FOR SUBMITTAL TO THE PORT'S CUSTOMERS AND THE CALIFORNIA ENERGY COMMISSION

Resolution # 8139: RESOLVED, by the Board of Commissioner of the Stockton Port District that the 2018 Port of Stockton Power Content Label (PCL) and the PCL Customer Letter for submittal to the Port's Customers and the California Energy Commission is hereby approved, as presented; and

RESOLVED FURTHER, that the Port Director is hereby authorized, empowered and directed to ensure the provisions of this resolution are appropriately effected.

Resolutions #8136, #8137, #8138 and #8139 were passed by the following vote:

|                           |  |
|---------------------------|--|
| COMMISSIONERS IN FAVOR:   | Allen, Barkett, Blanchard, Duffy, Griffen, Mow |
| COMMISSIONERS AGAINST:    | None   |
| COMMISSIONERS ABSTAINING: | None   |
| COMMISSIONERS ABSENT:     | None   |
| COMMISSIONERS EXCUSED:    | Christopherson                                 |

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

Chairman Griffen acknowledged there were no items removed from the Consent Calendar.

CONSIDERATION AND POSSIBLE APPROVAL OF A CATEGORICAL EXEMPTION 15301, 15302 AND 15304 PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA); AUTHORIZATION FOR PORT STAFF TO FILE A NOTICE OF EXEMPTION RELATED THERETO; AND, A RESOLUTION APPROVING THE PORT DIRECTOR TO AWARD A CONTRACT TO DIEDE CONSTRUCTION, INC., FOR THE TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL (TWIC) GATE PROJECT FOR \$2,035,238

Director of Development and Planning Villanueva presented an executive summary of this agenda item.

Overview:

The Transportation Worker Identification Credential (TWIC) Gate Project consists of six (6) TWIC controlled manned/unmanned gate sites that would provide direct access to the TWIC restricted areas on the east and west complexes:

- Reconfiguration and/or modification of four (4) existing sites: East, West, Embarcadero and Road 13 Gates
- Deployment of two (2) new “greenfield” sites: Boone and Stork Gates
- Concrete pad or asphalt remediation, traffic spikes, bollards, 14 foot swing gates with magnetic locks, fencing, gate motors, removable center posts and barrier arms for inbound and outbound lanes
- Install removable dual pedestals suitable for large trucks and standard autos
- Technology equipment installation: Card readers, intercoms, anti-tamper switches, cameras, power supply and fiber splice tray
- Gate canopy for West Main Gate including luminaire fixtures

**Benefit:**

- The TWIC Gate Project is a technology and security grant project with a focus on TWIC Final Rule Compliance
- The TWIC Gate Project would provide the necessary infrastructure to satisfy Maritime Transportation Security Act requirements and implementation per the following agencies:
  - Department of Homeland Security (DHS)
  - Transportation Security Administration (TSA)
  - US Coast Guard (USCG)

The legally required advertisement for this project appeared in The Record on June 12, 2019. It was also posted on the Port’s website and distributed to local/regional planning rooms and building exchanges. A mandatory pre-bid conference and site visit was held on June 19, 2019.

Three (3) bids were received by 3:00 p.m. July 17, 2019:

- Diede Construction, Inc., Lodi, CA \$2,035,238
- OC Jones & Sons, Inc., Berkeley, CA \$2,185,500
- Swierstok Enterprise Inc., dba Pro Builders, Orangevale, CA \$2,538,000

The TWIC Gate Project was included in the 2019/2020 Budget. The Port’s match for the Project in the amount of \$508,809.50 will be funded from the Port’s unrestricted cash/general fund.

Environmental review and analysis of the TWIC Gate Project, pursuant to the California Environmental Quality Act (CEQA), determined its CEQA Categorical Exemption pursuant to Sections 15301, 15302 and 15304.

Chairman Griffen acknowledged that there were no requests to address the Port Commission on this matter.

Commissioner Blanchard moved to adopt the following resolution:

**Resolution #8140:** RESOLVED, that pursuant to Port staff review of, and belief that the Transportation Worker Identification Credential (TWIC) Gate Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301, 15302 and 15304 the Stockton Port District Board of Commissioners hereby adopts a CEQA Categorical Exemption for the

TWIC Gate Project and authorizes the filing of a Notice of Exemption related thereto with San Joaquin County; and

RESOLVED FURTHER, by the Board of Commissioners of the Stockton Port District that the Port Director is hereby authorized, empowered and directed to award the TWIC Gate Project contract to Diede Construction, Inc. in the amount of \$2,035,238.00 (Two Million Thirty Five Thousand Two Hundred Thirty Eight Dollars and 00/100); and

RESOLVED FURTHER, that the Port Director is authorized, empowered and directed to ensure that the provisions of this resolution are appropriately effected.

Resolution #8140 was passed by the following vote:

|                           |  |
|---------------------------|--|
| COMMISSIONERS IN FAVOR:   | Allen, Barkett, Blanchard, Duffy, Griffen, Mow |
| COMMISSIONERS AGAINST:    | None   |
| COMMISSIONERS ABSTAINING: | None   |
| COMMISSIONERS ABSENT:     | None   |
| COMMISSIONERS EXCUSED:    | Christopherson                                 |

#### INFORMATIONAL PRESENTATION OF THE PRELIMINARY FOURTH QUARTER 2018/2019 FISCAL YEAR FINANCIAL STATEMENTS

Port Interim Director of Finance Bowling provided an overview of the preliminary financial reports for the three month period of April 1, 2019 through June 30, 2019. Copies of the financial information were provided to the Commission prior to today's meeting. Information presented included financial highlights, operating revenues, expenses, and capital projects.

#### COMMITTEE REPORTS

##### Ad Hoc Committee

On August 5, 2019 an Ad Hoc Committee comprised of Chairman Griffen, Vice Chairman Duffy and Commissioner Mow met with representatives from Eide Bailly the Port's independent auditing firm and Port staff to discuss the 2018/2019 fiscal year audit process.

### Ad Hoc Committee

On August 5, 2019 and August 19, 2019 Chairman Griffen, Vice Chairman Duffy and Commissioner Allen met to discuss the Port Director's performance review process.

### PORT DIRECTOR'S COMMENTS

Port Director Aschieris provided an executive summary of recent Port activities.

- Current calendar year-to-date shipping reflects 159 ships. Shipping activity for the same period in 2018 reported 172 ships. Since the last Commission meeting, 21 ships have called at the Port.
- Current calendar year-to-date tonnage totaled 3,029,339 metric tons. Tonnage for the same period in 2018 totaled 3,148,518 metric tons. Since the last Commission meeting, 418,584 metric tons of cement/slag from China, steel from China, Japan and Korea, fertilizer from Belgium, Norway, Trinidad and Estonia, food grade oil from Malaysia, molasses from Korea, project cargo from Belgium, bagged rice to Japan, anhydrous ammonia from Trinidad, corn from Turkey and dry bulk and miscellaneous dry bulk to Japan have been handled.
- The Port was recently award over \$1.6 million for three grants. Monies will fund three (3) years of salary and equipment for a new Police Officer canine handler, a new fire suppression water pump and backup generator and rehabilitation for the Port's fireboat dock and ramp.
- The Port will receive approximately \$5.9 million for dredging in the Stockton Deep Water Ship Channel (SDWSC). The U.S. Army Corps of Engineers (USACE) is conducting a new condition survey of the SDWSC which should be completed in the next few weeks. There is a significant amount of money in reserve for change orders that may be needed.
- The MV PACIFIC SPIKE is currently in Port discharging the 480 foot long rail. This is the last scheduled visit of the MV PACIFIC SPIKE until the partners finalize a new contract.

### COMMISSION COMMENTS

Commissioner Blanchard shared that she is unable to attend the San Joaquin Council of Government (SJCOG) monthly meetings. She asked that a new Commission representative be appointed to the SJCOG Board. Port Director Aschieris shared that Commissioner Barkett would be attending the next SJCOG meeting and that the Chairman would be appointing a permanent representative in the near future.

Commissioner Allen thanked Interim Director of Finance Bowling and her staff for all of their hard work related to the upcoming audit.

## PUBLIC COMMENTS ON NON-AGENDA ITEMS

Chairman Griffen acknowledged Ms. Mary Elizabeth from the Sierra Club. Ms. Elizabeth shared that the Commission Meeting draft and final Minutes and the Board packets are not on the Port's website. She also inquired as to when draft and/or final Commission Minutes are available for public review.

Chairman Griffen acknowledged Mr. Kevin McDonnell from the International Longshore and Warehouse Union (ILWU) Local 34. Mr. McDonnell shared his thoughts for MV PACIFIC SPIKE.

## ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 4:28 p.m. by Chairman Griffen.

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Melanie Rodriguez  
Secretary to the Board

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Chairman Stephen Griffen